Case 17-13370-SLM Doc 1 Filed 02/22/17 Entered 02/22/17 13:35:43 Desc Main Document Page 1 of 16

	Document Page 1 of 16					
Fill	in this information to ident	ify your case:				
Uni	ted States Bankruptcy Court	for the:				
DIS	STRICT OF NEW JERSEY					
Cas	se number (if known)		Chapter 11	☐ Check if this an amended filing		
V(Official Form 201 Voluntary Petition for Non-Individuals Filing for Bankruptcy f more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known for more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.					
1.	Debtor's name	Bergen Plaza Fairview, LLC				
2.	All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names	FKA Bergen Plaza, LLC				
3.	Debtor's federal Employer Identification Number (EIN)	26-0302612				
4.	Debtor's address	Principal place of business	Mailing addres business	ss, if different from principal place o	of	
		501-503 Fairview Avenue Fairview, NJ 07022	368 New Har New City, NY	npstead Road, Suite 226 ′ 10956		
		Number, Street, City, State & ZIP Code		ber, Street, City, State & ZIP Code		
		Bergen County	Location of pr place of busin	incipal assets, if different from prin ess	cipal	

■ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor's website (URL)

Type of debtor

Number, Street, City, State & ZIP Code

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Deb	otor Bergen Plaza Fairvie	w, LLC	Document	Page 2 of 16 Case number (if known)	
	Name				
7.	Describe debtor's business	A. Check one:			
		☐ Health Care Busin	ness (as defined in 11	U.S.C. § 101(27A))	
		■ Single Asset Real	Estate (as defined in	11 U.S.C. § 101(51B))	
		☐ Railroad (as define	ed in 11 U.S.C. § 101((44))	
		☐ Stockbroker (as de	efined in 11 U.S.C. § 1	I01(53A))	
		☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))			
		☐ Clearing Bank (as	defined in 11 U.S.C.	§ 781(3))	
		☐ None of the above)		
		B. Check all that apply	v		
		☐ Tax-exempt entity (S.C. §501)	
		. ,	•	und or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)	
		☐ Investment adviso			
				cation System) 4-digit code that best describes debtor. ational-association-naics-codes.	
			<u> </u>		
8.	Under which chapter of the Bankruptcy Code is the	Check one:			
	debtor filing?	☐ Chapter 7			
		☐ Chapter 9			
		Chapter 11. Check	k all that apply: -		
			20010.0 499.0941	e noncontingent liquidated debts (excluding debts owed to insiders or affiliates) 66,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).	
		С	business debtor, a statement, and fed	nall business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small attach the most recent balance sheet, statement of operations, cash-flow deral income tax return or if all of these documents do not exist, follow the .S.C. § 1116(1)(B).	
			A plan is being file	ed with this petition.	
				e plan were solicited prepetition from one or more classes of creditors, in 1 U.S.C. § 1126(b).	
		С	Exchange Commi	nired to file periodic reports (for example, 10K and 10Q) with the Securities and ssion according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the untary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 A) with this form.	
			The debtor is a sh	ell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.	
		☐ Chapter 12			
9.	Were prior bankruptcy	■ No.			
	cases filed by or against the debtor within the last 8				
	years?	☐ Yes.			
	If more than 2 cases, attach a				

separate list.

District When Case number

District When Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an

■ No

affiliate of the debtor?

☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor Relationship

District When

Case number, if known

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Page 3 of 16 Case number (if known) Debtor Bergen Plaza Fairview, LLC 11. Why is the case filed in Check all that apply: this district? Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district. A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district. 12. Does the debtor own or ■ No have possession of any Answer below for each property that needs immediate attention. Attach additional sheets if needed. real property or personal ☐ Yes. property that needs immediate attention? Why does the property need immediate attention? (Check all that apply.) ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety. What is the hazard? ☐ It needs to be physically secured or protected from the weather. ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options). ☐ Other Where is the property? Number, Street, City, State & ZIP Code Is the property insured? ☐ No ☐ Yes. Insurance agency Contact name Phone Statistical and administrative information 13. Debtor's estimation of Check one: available funds Funds will be available for distribution to unsecured creditors. ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors. 14. Estimated number of **1**,000-5,000 **1** 25,001-50,000 1-49 creditors **5001-10,000 5**0,001-100,000 **50-99 1**0,001-25,000 ☐ More than 100,000 □ 100-199 **200-999** 15. Estimated Assets **\$0 - \$50,000** □ \$500,000,001 - \$1 billion ■ \$1,000,001 - \$10 million

□ \$10.000.001 - \$50 million

□ \$50,000,001 - \$100 million

□ \$100,000,001 - \$500 million

■ \$1,000,001 - \$10 million

□ \$10,000,001 - \$50 million

□ \$50,000,001 - \$100 million

□ \$100,000,001 - \$500 million

□ \$50,001 - \$100,000

\$100,001 - \$500,000

□ \$500,001 - \$1 million

□ \$50,001 - \$100,000

□ \$100,001 - \$500,000

□ \$500,001 - \$1 million

\$0 - \$50,000

16. Estimated liabilities

□ \$1,000,000,001 - \$10 billion

□ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

☐ More than \$50 billion

□ \$500,000,001 - \$1 billion

□ \$1,000,000,001 - \$10 billion

□ \$10,000,000,001 - \$50 billion

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Case number (if known) Document

Debtor

Bergen Plaza Fairview, LLC

 Dergen	riaza	•	an	AIC
Name				

Request for Relief,	Declaration,	and	Signatures
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WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17.	Declaration and signature
	of authorized
	representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is trued and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 22, 2017 MM / DD / YYYY

X	✗ /s/ Aaron Taub		Aaron Taub	
	Signat	ture of authorized representative of debtor	Printed name	
	Title	Manager	_	

18. Signature of attorney

	Date February 22, 2017
	MM / DD / YYYY
Email address	akelly@kbtlaw.com
	Email address

032191991

Bar number and State

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Fill in this information to identify the case:	
Debtor name Bergen Plaza Fairview, LLC	
United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY	
Case number (if known)	
	☐ Check if this is an amended filing
Official Form 202	
Declaration Under Penalty of Perjury for Non-Individual	ual Debtors 12/15
An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partiform for the schedules of assets and liabilities, any other document that requires a declaration that is not amendments of those documents. This form must state the individual's position or relationship to the deland the date. Bankruptcy Rules 1008 and 9011. WARNING Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtain connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, 1519, and 3571. Declaration and signature	included in the document, and any otor, the identity of the document, ining money or property by fraud in
I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agindividual serving as a representative of the debtor in this case.	gent of the partnership; or another
I have examined the information in the documents checked below and I have a reasonable belief that the in	nformation is true and correct:
Schedule A/B: Assets-Real and Personal Property (Official Form 206A/B)	
Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)	
Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)	
Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)	
☐ Schedule H: Codebtors (Official Form 206H) ☐ Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)	
Amended Schedule	
Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and	Are Not Insiders (Official Form 204)
Other document that requires a declaration	
I declare under penalty of perjury that the foregoing is true and correct.	

X /s/ Aaron Taub

Aaron Taub
Printed name

Position or relationship to debtor

Manager

Official Form 202

Executed on

Signature of individual signing on behalf of debtor

February 22, 2017

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Fill in this information to identify the case:	
Debtor name Bergen Plaza Fairview, LLC	
United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY	
Case number (if known)	☐ Check if this is an amended filing
Official Form 206A/B	
Schedule A/B: Assets - Real and Personal Property	12/15
Disclose all property, real and personal, which the debtor owns or in which the debtor has any other legal,	
Include all property in which the debtor holds rights and powers exercisable for the debtor's own benefit. A which have no book value, such as fully depreciated assets or assets that were not capitalized. In Schedule or unexpired leases. Also list them on Schedule G: Executory Contracts and Unexpired Leases (Official For	also include assets and properties A/B, list any executory contracts
Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. At the debtor's name and case number (if known). Also identify the form and line number to which the additional sheet is attached, include the amounts from the attachment in the total for the pertinent part.	
For Part 1 through Part 11, list each asset under the appropriate category or attach separate supporting so schedule or depreciation schedule, that gives the details for each asset in a particular category. List each a debtor's interest, do not deduct the value of secured claims. See the instructions to understand the terms Part 1: Cash and cash equivalents	asset only once. In valuing the
1. Does the debtor have any cash or cash equivalents?	
■ No. Go to Part 2.	
Yes Fill in the information below.	
All cash or cash equivalents owned or controlled by the debtor	Current value of debtor's interest
Part 2: Deposits and Prepayments	
6. Does the debtor have any deposits or prepayments?	
■ W . O . O . O	
■ No. Go to Part 3. ☐ Yes Fill in the information below.	
Part 3: Accounts receivable	
10. Does the debtor have any accounts receivable?	
■ No. Go to Part 4.	
☐ Yes Fill in the information below.	
Part 4: Investments	
13. Does the debtor own any investments?	
No. Go to Part 5.	
☐ Yes Fill in the information below.	
Part 5: Inventory, excluding agriculture assets	
18. Does the debtor own any inventory (excluding agriculture assets)?	
■ No. Go to Part 6.	
■ No. Go to Part b. □ Vas Fill in the information below	

Farming and fishing-related assets (other than titled motor vehicles and land)

27. Does the debtor own or lease any farming and fishing-related assets (other than titled motor vehicles and land)?

■ No. Go to Part 7.

Case 17-13370-SLM Doc 1 Filed 02/22/17 Entered 02/22/17 13:35:43 Desc Main Document Page 7 of 16 Debtor Bergen Plaza Fairview, LLC Case number (If known) Name ☐ Yes Fill in the information below. Office furniture, fixtures, and equipment; and collectibles 38. Does the debtor own or lease any office furniture, fixtures, equipment, or collectibles? No. Go to Part 8. ☐ Yes Fill in the information below. Machinery, equipment, and vehicles 46. Does the debtor own or lease any machinery, equipment, or vehicles? ■ No. Go to Part 9. ☐ Yes Fill in the information below. Real property Part 9: 54. Does the debtor own or lease any real property? ☐ No. Go to Part 10. Yes Fill in the information below. 55. Any building, other improved real estate, or land which the debtor owns or in which the debtor has an interest **Description and location of** Nature and Net book value of Valuation method used Current value of property extent of debtor's interest for current value debtor's interest Include street address or other debtor's interest (Where available) description such as Assessor in property Parcel Number (APN), and type of property (for example, acreage, factory, warehouse, apartment or office building, if available. 55.1. **501-503 Fairview** Avenue Fee simple \$0.00 \$3,600,000.00 Fairview, NJ 07024 56. Total of Part 9. \$3,600,000.00 Add the current value on lines 55.1 through 55.6 and entries from any additional sheets. Copy the total to line 88. 57. Is a depreciation schedule available for any of the property listed in Part 9? ■ No ☐ Yes 58. Has any of the property listed in Part 9 been appraised by a professional within the last year? ■ No ☐ Yes Intangibles and intellectual property

59. Does the debtor have any interests in intangibles or intellectual property?

■ No. Go to Part 11.

☐ Yes Fill in the information below.

Part 11: All other assets

70. Does the debtor own any other assets that have not yet been reported on this form?

Include all interests in executory contracts and unexpired leases not previously reported on this form.

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Debtor	Bergen Plaza Fairview, LLC	Case number (If known)	
	Name		

■ No. Go to Part 12.

☐ Yes Fill in the information below.

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Debtor Bergen Plaza Fairview, LLC Case number (If known)

Name

Part 12: Summary

In Pa	art 12 copy all of the totals from the earlier parts of the form		
	Type of property	Current value of personal property	Current value of real property
80.	Cash, cash equivalents, and financial assets. Copy line 5, Part 1	\$0.00	
81.	Deposits and prepayments. Copy line 9, Part 2.	\$0.00	
82.	Accounts receivable. Copy line 12, Part 3.	\$0.00	
83.	Investments. Copy line 17, Part 4.	\$0.00	
84.	Inventory. Copy line 23, Part 5.	\$0.00	
85.	Farming and fishing-related assets. Copy line 33, Part 6.	\$0.00	
86.	Office furniture, fixtures, and equipment; and collectibles. Copy line 43, Part 7.	\$0.00	
87.	Machinery, equipment, and vehicles. Copy line 51, Part 8.	\$0.00	
88.	Real property. Copy line 56, Part 9	>	\$3,600,000.00
89.	Intangibles and intellectual property. Copy line 66, Part 10.	\$0.00	
90.	All other assets. Copy line 78, Part 11.	+\$0.00	
91.	Total. Add lines 80 through 90 for each column	\$0.00	+ 91b. \$3,600,000.00
92.	Total of all property on Schedule A/B. Add lines 91a+91b=92		\$3,600,000.00

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		Document Page 10 of 16		
Fill	in this information to identify the c	ase:		
Deb	otor name Bergen Plaza Fairvie	ew, LLC		
Uni	ted States Bankruptcy Court for the:	DISTRICT OF NEW JERSEY		
Cas	se number (if known)			
	· · · · · · · · · · · · · · · · · · ·		_	Check if this is an amended filing
~ "	" ·			amended ming
	ficial Form 206D		_	
Sc	chedule D: Creditors	Who Have Claims Secured by Pro	<u>operty</u>	12/15
	s complete and accurate as possible.			
	any creditors have claims secured by		Dahtan kasa nadiktan alaa ta	man and a settle famou
	_	ge 1 of this form to the court with debtor's other schedules. I	Jebtor has nothing else to	report on this form.
	Yes. Fill in all of the information be			
	t 1: List Creditors Who Have Sec		Column A	Column B
	ist in alphabetical order all creditors when, list the creditor separately for each claim	to have secured claims. If a creditor has more than one secured in.	Amount of claim	Value of collateral
	, and the second of the second		Do not deduct the value	that supports this
			of collateral.	
2.1	Alexander Dingertopadre Creditor's Name	Describe debtor's property that is subject to a lien	\$1,300,000.00	\$3,600,000.00
		501-503 Fairview Avenue Fairview, NJ 07024		
	250 Kamena Street Fairview, NJ 07022			
	Creditor's mailing address	Describe the lien		
	3	First Mortgage		
		Is the creditor an insider or related party?		
		No		
	Creditor's email address, if known	☐ Yes Is anyone else liable on this claim?		
	Date debt was incurred	■ No		
	September 5, 2007	☐ Yes. Fill out Schedule H: Codebtors (Official Form 206H)		
	Last 4 digits of account number			
	Do multiple creditors have an interest in the same property?	As of the petition filing date, the claim is: Check all that apply		
	□ No	☐ Contingent		
	Yes. Specify each creditor,	☐ Unliquidated		
	including this creditor and its relative priority.	☐ Disputed		
	1. Alexander Dingertopadre			
	2. Borough of Fairview, Tax			
	Collector			
2.2	Borough of Fairview, Tax		A.	** *** ***
2.2	Collector	Describe debtor's property that is subject to a lien	\$0.00	\$3,600,000.00
	Creditor's Name	501-503 Fairview Avenue Fairview, NJ 07024		
	59 Anderson Avenue			
	Fairview, NJ 07022			
	Creditor's mailing address	Describe the lien Listed for Notice Purposes		
		Is the creditor an insider or related party?		
		■ No		
	Creditor's email address, if known	Yes		
	Bar like a t	Is anyone else liable on this claim?		
	Date debt was incurred	No		
	Last 4 digits of account number	Yes. Fill out Schedule H: Codebtors (Official Form 206H)		
	1605,Lot4			

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Debtor	Bergen Plaza Fairview, L	.C Cas	e number (if know)	
int □ ■ inc pri	Name multiple creditors have an erest in the same property? No Yes. Specify each creditor, duding this creditor and its relative ority. Decified on line 2.1	As of the petition filing date, the claim is: Check all that apply Contingent Unliquidated Disputed		
O .	l of the dollar amounts from Part 1,	Column A, including the amounts from the Additional a Debt Already Listed in Part 1	\$1,300,000.0 Page, if any.	
	phabetical order any others who mes of claims listed above, and attorn	ust be notified for a debt already listed in Part 1. Exam	ples of entities that may be listed are	collection agencies,
If no oth	,	ted in Part 1, do not fill out or submit this page. If add	itional pages are needed, copy this pa On which line in Part 1 did you enter the related creditor?	age. Last 4 digits of account number for this entity
8 S	ohn L. Schettino, Esq. 00 Main Street uite 101 lackensack, NJ 07601		Line 2.1	,
C 1	uperior Court of NJ, Berger hancery Division 0 Main Street lackensack, NJ 07601	County	Line _ 2.1 _	

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United States Bankruptcy CourtDistrict of New Jersey

In re	Bergen Plaza Fairview, LLC		Case No.	
		Debtor(s)	Chapter	11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Arnold Henry 5 Broom Avenue Salford, Manchester M74RU England, UK			33.33%
Bat Sheva Frenkel Abba Even Street 1, Apt. 39 Jerusalem, Israel			33.34%
Moishe Rothbart 10 Legh Street Salford, Manchester, M743F England, UK			22.22%
Yonach Reich 3 Hall Avenue Manchester, M74JY England, UK			11.11%

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I	have read
the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and beli	ef.

Date	February 22, 2017	Signature	/s/ Aaron Taub
		_	Aaron Tauh

Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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United States Bankruptcy CourtDistrict of New Jersey

In re	Bergen Plaza Fairview, LLC	Debtor(s)	Case No. Chapter	11
		Debioi(s)	Chapter	- 11
	VERIFICAT	ION OF CREDITOR MA	TRIX	
I, the Ma	anager of the corporation named as the debtor	in this case, hereby verify that the atta	ched list of	creditors is true and correct to
the best of	of my knowledge.			
Date:	February 22, 2017	/s/ Aaron Taub		
		Aaron Taub/Manager Signer/Title		
		Signer/Titte		

Alexander Dingertopadre 250 Kamena Street Fairview, NJ 07022

Borough of Fairview, Tax Collector 59 Anderson Avenue Fairview, NJ 07022

John L. Schettino, Esq. 800 Main Street Suite 101 Hackensack, NJ 07601

Superior Court of NJ, Bergen County Chancery Division 10 Main Street Hackensack, NJ 07601 Case 17-13370-SLM Doc 1 Filed 02/22/17 Entered 02/22/17 13:35:43 Desc Main Document Page 15 of 16

United States Bankruptcy Court District of New Jersey

In re	Bergen Plaza Fairview, LLC		Case No.	
		Debtor(s)	Chapter	11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Aaon Taub, declare under penalty of perjury that I am the Manager of Bergen Plaza Fairview, LLC, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the $\underline{22nd}$ day of $\underline{February}$, $\underline{2017}$.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Aaron Taub, Manager of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Aaron Taub, Manager of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Aaron Taub, Manager of this Corporation is authorized and directed to employ Andrew J. Kelly, attorney and the law firm of The Kelly Firm, P.C. to represent the corporation in such bankruptcy case."

Date	February 22, 2017	Signed	/s/ Aaron Taub
			Aaron Taub

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Resolution of the Members of Bergen Plaza Fairview, LLC

Whereas, it is in the best interest of this LLC to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Aaron Taub, Manager of this LLC, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the LLC; and

Be It Further Resolved, that Aaron Taub, Manager of this LLC is authorized and directed to appear in all bankruptcy proceedings on behalf of the LLC, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the LLC in connection with such bankruptcy case, and

Be It Further Resolved, that Aaron Taub, Manager of this LLC is authorized and directed to employ Andrew J. Kelly, attorney and the law firm of The Kelly Firm, P.C. to represent the LLC in such bankruptcy case.

Date F	ebruary 22, 2017	Signed	/s/ Arnold Henry
			ARNOLD HENRY, MEMBER
Date _		Signed	